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TECHNOLOGY CENTER 3600

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER LLP  
901 NEW YORK AVENUE, NW  
WASHINGTON DC 20001-4413

In re Application of:	:	DECISION ON REQUEST TO
Toshiya KUDO et al.	:	PARTICIPATE IN PATENT
Application No.: 10/542,949	:	PROSECUTION HIGHWAY PILOT
Filed: July 21, 2005	:	PROGRAM AND PETITION TO
Attorney Docket No.: 08295.0003	:	MAKE SPECIAL UNDER 37 CFR
For: SEAT BELT DEVICE FOR	:	1.102(d)
VEHICLE	:	

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(d), filed November 13, 2007, to make the above-identified application special.

The request and petition are **DISMISSED AS MOOT**.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the Office actions from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
- (6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO Office action along with copies of documents except U.S. patents or U.S. patent application publications; and
- (7) The required petition fee under 37 CFR 1.17(h).

The request to participate in the PPH pilot is not grantable as per item (4) above in that examination of the U.S. application has already begun. A non-final rejection was mailed out on October 31, 2007, before receipt of the PPH request on November 13.

No time period for reply to this decision is available since an Office action on the merits has already been mailed.

Telephone inquiries concerning this decision should be directed to Robert Weinhardt at 571-272-6633. All other inquiries concerning the examination or status of the application should be directed to the Patent Application Information Retrieval (PAIR) system.

A handwritten signature in black ink, appearing to read 'Robert Weinhardt', is written over a horizontal line.

Robert Weinhardt

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Business Practice Specialist